IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7403 OF 2005

James Devpichal Nadar .. Petitioner

Vs.

Mrs.Silvia James Nadar .. Respondent

Mr.Jitendra Shukla i/b G.H.Shukla & Co. for the petitioner

Mr.Macchindra Patil for the respondent

CORAM : S.U.KAMDAR, J
DATED : 24TH NOVEMBER, 2005

P.C.:

. The learned counsel for the petitioner states that without prejudice to his rights and contentions in the proceeding before the trial court he will pay maintenance charges for the month of September, October, November and December before 5.12.05 as directed by the Trial court and he further states that he will file affidavit in reply to the Maintenance Application before 5.12.05 If he has paid the amount as assured in this order then in that event the trial court is directed to hear the Maintenance Application afresh after the reply

is filed by petitioner and decide the matter in accordance with the law. In an event if the amount is not paid by 5.12.05, the present petition will stand dismissed and impugned order will stand confirmed. Trial court is directed to decide the said application on or before 31.12.05. In that view of the matter, impugned order dt.12.8.05 is quashed and set aside. Petition disposed of accordingly. There shall be no order as to costs.